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IDAHO PUBLIC
UTILITIES COMMISSION

Name of Utility Company: Atlanta Power Company
Comment: Mary E. Drake
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April 30, 2019

Idaho Public Utilities Commission
472 W. Washington
Boise, Idaho 83702

Re: Case # ATL-E-18-01
CROSS-PETITION FOR RECONSIDERATION TO
ISRAEL RAY'S PETITION FOR RECONSIDERATION

Dear Commissioners,

I, Mary Drake, am the original complainant of this case and respectively request that the Idaho Public Utilities Commission NOT reconsider Atlanta Power Company's petition for reconsideration. The following are the reasons why:

1. This complaint was filed on 2/20/2018. The company has had 14 months to respond. I have had not ONE response from the company. Not one. No action on any item. As stated in my written complaint, the company is presently violating the PUC's Final Order of May 13, 2010 (Order #31086) which states "it is further ordered that Atlanta Power Company continue to monitor the power concerns. If the power concerns are not mitigated, then the staff and company will advise the commission on appropriate course of action." So now it has been EIGHT years of power outages here, in Atlanta, and to grant a Petition for Reconsideration would again not hold Atlanta Power Company accountable for fulfilling their duties to their customers in the town of Atlanta. Let us refresh what Idaho Statute 61-302 states about the duties of electric companies:

"MAINTENANCE OF ADEQUATE SERVICE. Every public utility shall furnish, provide and maintain such service, instrumentalities, equipment and facilities as shall promote the safety, health, comfort and convenience of its patrons, employees and the public, and as shall be in all respects adequate, efficient, just and reasonable." I suggest the commission take appropriate action and enforce the Final Order. How many times will this company get away with no action imposed by the PUC, while not providing service to the customers who pay their monthly bills? How is this right?

2. Israel Ray claims in his Petition for Reconsideration that, "The Commission had an old address, causing mail to be forwarded to an address to which forwarding had expired". It is true that the two orders were sent to 11140 Chicken Dinner Road, Caldwell, Idaho. However, at the very beginning of this complaint, on 3/8 /18 another address was used for Israel Ray at 16589 Wagner Rd. Caldwell, for the summons, giving him an opportunity to respond to this complaint. Furthermore, on 2/21 and 3/8 of 2018 a summons was also sent to Linda Churches (Book Keeper) at the Atlanta Power Company, P.O. Box 672, Salmon, Idaho 83467. In this summons, the Company was DIRECTED to file a written answer or a written motion in defense of the complaint within 21 days and unless "you do so within the time here specified, the PUC may take action against you as is prayed for in the complaint or as deemed appropriate under Title 61 of the Idaho Code." So surely, the Atlanta Power Book Keeper had contact with the owner of Atlanta Power, for this is where all the monthly payments are mailed to. So TWICE he received CERTIFIED SUMMONS to respond to these issues and he deliberately chose not to. Therefore, to grant Israel Ray a Petition for Reconsideration because he did not receive the recent Orders, does not justify why he has NOT RESPONDED TO THE SUMMONS and followed the direction therein (to respond in writing to the complaint). This would once again show the PUC's lack of holding Atlanta Power Company accountable to the law, per Idaho Statute, 61-302... and most currently to Final Order # 34296.

3. The Petition for Reconsideration does not take into account PUC's Order #29706 dated February 2005 which states: "It appears Dave Gill's availability has changed. He is available in Atlanta for immediate system repairs most of the time." This is NOT ACCURATE. There is no body trained in Atlanta to maintain or troubleshoot the system at the Power Plant. We do have Gene Haught, for which we are eternally grateful. Gene freely volunteers his time (a lot of time does not get paid) (although it is said he is an employee of Atlanta Power), and when the power goes out he goes down there and many times "second-guesses" what is wrong and manages to fix it so far. We are very lucky. One time we were very, very lucky when we had 3 electrical engineers camping out in town, they volunteered to show Gene a few tricks. Some of that equipment is very dangerous and not safe, so it is also a risk and one has to really know what they are doing, or physical harm could occur. Some of the equipment is so OLD that at any moment something major could break, and the problem remains: who will fix it? My Formal Complaint still stands. We can use a professional, a "System Operator" someone who knows how to troubleshoot and maintain the system, to diagnose problems, and keep the equipment "tuned-up". (Maybe Atlanta Power can invest in training Gene Haught if he is interested) But Atlanta Power Company refuses to take responsibility for this. We do have a generator up here, but at times it is difficult to get diesel fuel up here unless we pay cash. We may have to go 3 or 4 days with no power. People will lose their food in their freezers, and people with electric water pumps have no water. Also, if a Big, Catastrophic malfunction occurs, God Forbid, WHO will pay for it? Israel Ray is still no where to be found. Therefore, I suggest the IPUC to please hold Atlanta Power Accountable and to NOT grant them a Petition for Reconsideration.

4. In his "Petition for Reconsideration", Israel Ray states: "I am attempting to comply with all previous Commission orders and am working with Commission staff to accomplish this". Okay. If this is true, then what is the evidence? Why didn't he list what he is doing? If he is truly complying he would be doing things like a) having someone immediately available (perhaps pay to get Gene Haught some training, or even PAY Gene for what he does now) who is TRAINED to troubleshoot the power problems, who can maintain and diagnose problems. Perhaps someone to serve as a "System Operator"... even if it is someone coming in once a month from Boise, but doing something to give that Power Plant attention, b) provide plenty of gas for the generator (in the summer we sometimes have to "ration" power use (EVEN THOUGH WE PAY OUR MONTHLY BILLS TO ATLANTA POWER COMPANY) to certain hours a day, so we don't run out of gas while running the generator because we can't get gas up here.

Sometimes we don't have FUNDS to purchase it. Sometimes vendors only take cash. The best solution would be to get the Power Plant running efficiently so we wouldn't need to rely on the generator for days at a time, and c) every customer needs a phone number where they can reach someone from the Atlanta Power Company to ask questions about their Power Bill, or to call when the power goes out, or simply as a Customer Service number. Every power company gives Customer Service. Atlanta Power Company is out of reach. This is not good customer service. So, if he did any of these things, this would be Showing In Action, compliance and attention to this case and this complaint, but there is no evidence that he is.

5. Israel Ray says he is "attempting to sell the electrical system to the community of Atlanta." That is fine, yet and still, "Attempting" to sell, does not mean that it will sell, in anyway. "Attempting" to sell has nothing to do with this complaint. This is another means of dodging accountability, which is what he does best. A stall tactic. Meanwhile, who is going to maintain the day to day problems of power in the town of Atlanta that Israel Ray chooses to ignore? The PUC does NOT need to grant the petition of reconsideration for him to negotiate a sale of his company. Enough is Enough. Hasn't the Public Utilities Commission had enough of this dodging? The FINAL PUC Order states: "the Company's failure to comply with this order by April 26, 2019, will result in a continuing violation of § 61-706 and subject the Company to additional penalties of \$2,000 per day until the Company satisfies its obligations. The Company is also advised that if it fails to comply with the order, the Commission may direct its attorneys to sue the Company in District Court to obtain payment consistent with Idaho Code §§ 61-701, 705 and § 61-1005. The Commission may also pursue other actions, such as revoking the Company's Certificate of Public Convenience and Necessity and franchise to provide electric service, or the imposition of a receivership to wind-up and liquidate the Company." Since April 26th is past, and Atlanta Power Company has not complied with the order, why not "wind-up and liquidate the Company"? I understand there is an Atlanta Co-Op on the sidelines ready and willing to purchase the Company. That sounds promising. It is time for Atlanta Power Company to face their consequences and NOT be given any more leniency by the PUC, so that NEW OWNERS who really care about the town can give the Power Plant the attention it needs.

As you can see, Atlanta Power Company has been given many, many, many opportunities to respond, and a lot of TIME and leeway, the past many years. Time is Up. Again, with respect, I ask that the Idaho Public Utilities Commission NOT reconsider Atlanta Power's Petition for Reconsideration. It is time for the town of Atlanta to have New Life, New Vitality, New Power, and that can only happen if we let that which is not working, go.

Sincerely,
/s/ Mary E. Drake
Mary E. Drake

Unique Identifier: 160.2.124.245